K 1946

File No. BCS-RII/44
Legal Debtt.

13 **BRANCH**

Subject:—

Rules and Notifications under the Bombay Civil Services (New Rules of Pay) Rules

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page 3
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File No. BCS-RII/444

Gen. 194 e.

416-15

Office of the R.L.A.

The G.D. draft rules at pages 23-26 will conflict with the existing rules on the subject and to save such conflict a clear supersession of the relevant existing rules would be necessary. Instead of making new rules in supersession o f the existing rules the simpler way would be to amend the existing rules. Two draft notifications, one amending the Bombay Civil Services (New Rates of pay) Rules and the other amending Bombay Civil Services Classification and Recruitment Rules, are accordingly sent herewith, The provisions contained insection IV(i) and (ii) of the G.D. draft rules are omitted as being redundant

2. G.D. should verify whether the draft amendments including the new Note 4 in first draft notification are suitable and carry out its intention. G.D. will no doubt show the draft amendments to the F.D. before they are issued.

Id/-

P.N.M.

dt/-

20/6/44.

Remembrancer of Legal Affairs

U.R. to G.D. No. 4378 , dated the 22nd June 1944.

MK. 12/7/56/

Office of the R.L.A.

The draft Resolution on pages 8-9 ante, as formally amended, is in order.

Id/- P.N.H.
dt/- 2/1/45/

Remembrncer of Legal Affairs.

U. R. to F. D. No. 30 dated the 2nd Jan. 1945.

VVK. 16/7/56/

Assessment and issue of Pension inrespect of home civil servants appointed to posts in India.

Government of Bombay.

Finance Department,

Resolution No. 8508

Bombay Castle, 194

RESOLUTION OF GOVERNMENT.

In exercise of the powers conferred by clause (b) of sub-section (2) of section 241 of the Government of India, Act 1935, the Governor of Bombay is pleased to amend the Bombay Civil Service Rules, as follows namely :-

In the said Rules after rule 281 the following rule shal be inserted, namely :-

"281A. (1) If a civil servant as defined by section 12 of the Superannuation Act, 1887 , is appointment by Government to any office under the Crown in India, Government may direct that his service in that office shall qualify for the grant of a pension or gratuity as if it were service rendered in the office held by him as a civil servant immediately before his appointment to service in India, and there shall be paid to or in respect of him out of the revenues of the Province and shall be charged on those revenues, in respect of the whole period of his absence from the United Kingdom in connection with his appointment to service in India under Government a pension or gratuity calculated in accordance with the Superannuation Acts, 1834 to 1935, and the orders, rules and regulations made thereunder , but on the basis of the salary of the office last held by him as a civil servant before his appointment to

(2) No such direction as aforesaid shall be given in relation to service in any office if the service of the person in question in that office would qualify for the grant of a pension without any such direction.

(3) Any grant made under these rules is subject to reduction or suspension or withdrwal in the same way as pension or gratuity under the Superannuation Acts, any reduction of a total award of which a grant under these rules forms part being applied proportionately.

By order of the Governor of Bombay,

Under Secretary to Government.

VVK. 16/7/56/

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